

In The United States Court of Federal Claims

No. 08-700C

(Filed: May 20, 2009)

JAY ANTHONY DOBYNS,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

ORDER

On April 15, 2009, the court ordered that, on or before May 15, 2009, either plaintiff file a motion for leave to further amend his complaint, or defendant file a renewal or modification of its motion to dismiss. On May 15, 2009, defendant filed a notice renewing its motion to dismiss, and plaintiff improperly filed a notice of filing of his second amended complaint. On May 19, 2009, plaintiff refiled that document as a motion for leave to further amend his complaint. Plaintiff's motion is hereby **GRANTED**, and defendant's motion to dismiss is hereby deemed renewed. Accordingly:

1. On or before June 17, 2009, plaintiff shall file his response to defendant's motion to dismiss; and
2. On or before July 1, 2009, defendant shall file its reply to plaintiff's response.

IT IS SO ORDERED.

s/ Francis M. Allegra
Francis M. Allegra
Judge